

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HEARING ON - CHANGE OF PLEA

Before Judge Nora Barry Fischer

Katherine King, AUSA
Appear for USA

Stephen M. Misko, Esquire
Appear for Defendant

Hearing begun 6/27/16 at 9:30 a.m.

Hearing adjourned to _____

Hearing concluded 6/27/16 at 10:25 a.m.

Stenographer: D. Rowe
Clerk: B. Kravetz

WITNESSES:

For Government

For Defendant

Parties stipulate that Defendant is agreeing to plea to a lesser included offense at Count 1 of the Indictment, "Conspiracy to Distribute and Possess with Intent to Distribute 28 Grams or More of a Mixture and Substance containing a detectable amount of Cocaine Base," from January, 2015 through August, 2015, contrary to the provisions of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii) and in violation of 21 U.S.C. § 846; Oath administered to defendant; Defendant found competent to plead; Court asks defendant questions from colloquy and defendant indicates understanding; AUSA details charges; Court advises defendant of right to trial; Defendant indicates understanding of charges; Court asks about and defendant understand regarding Sentencing Guidelines application & pertinent Supreme Court & Circuit Court decisions; Court advises defendant of potential penalties; Government details elements of the offense and summarizes evidence against the defendant; Defendant indicates wish to plead guilty; Court accepts defendant's change of plea and enters a Judgment of Guilt as to said lesser included offense at Count 1; Counsel and defendant signed the Change of Plea Form; The Court advises counsel of Order the Court will be entering re: amendment to the Court's docket pertaining to Count to which defendant has pled; Court orders preparation of Presentence Investigation Report; Telephonic Sentencing Conference set for **11/1/16 at 4:30 p.m.**; Sentencing set for **11/4/16 at 9:00 a.m.**; Defendant to remain in custody of U.S. Marshal pending disposition of Sentence.